

# Katten

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February 29, 2012

Via Electronic Case Filing

Magistrate Judge Robert M. Levy  
United States District Court, Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: *State Farm v. John McGee et al. (case no. 10:cv-03848-ILG-RML)***

Dear Magistrate Judge Levy:

Plaintiff State Farm moves this Court for entry of an order extending the deadline for amendment of the pleadings and joinder of additional parties from April 1, 2012 to May 1, 2012. In support of this motion, State Farm states as follows.

State Farm has diligently issued discovery and subpoenas seeking information necessary to determine the roles of and relationships between Defendants and related individuals and entities at issue in this case. While State Farm has received some responses to its discovery requests, the responses and document productions are far from complete, and State Farm has been forced to bring numerous motions against Defendants and third-parties seeking their compliance with discovery.

To date, as a result of Defendants' and third-parties' failure to provide complete written discovery responses and document productions, State Farm still does not have all of the information it needs to determine the manner in which the Complaint should be amended. Moreover, State Farm has diligently attempted to schedule depositions; however, deposition scheduling has been difficult with certain deponents being uncooperative, depositions being cancelled by some deponents for a variety of reasons (some at the last minute), and scheduling conflicts for deponents limiting their purported availability. As such, State Farm has been unable to conduct all of the depositions it needs to determine whether and in what manner it should amend its Complaint. State Farm is attempting to schedule a number of depositions to take place in March and April.

For all of these reasons, State Farm respectfully requests that this Court enter an order extending the deadline for amendment of the pleadings and joinder of additional parties from April 1, 2012 to **May 1, 2012** in order to allow State Farm sufficient time to obtain information, documents and depositions in response to its previously-served discovery requests and subpoenas. This

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extension will not require the modification of any other dates, and State Farm is *not* proposing any change in the fact discovery cut-off.

Respectfully submitted,

A handwritten signature in black ink that reads "Jonathan L. Marks". The signature is written in a cursive, flowing style.

Jonathan L. Marks